WILMER CUTLER PICKERING HALE AND DORR W

RECEIVED CENTRAL FAX CENTER MAY 3 1 2005

FACSIMILE

DATE
May 31, 2005

TO FAX
USPTO (703) 872-9306

Office of Patent Publication – Issue
Branch

FROM
Jane M. Love, Ph.D.

+1 212 937 7233

399 PARK AVENUE
NEW YORK, NEW YORK 10022
+1 212 230 8800
+1 212 230 8888 fax
willnerhale.com

MESSAGE

RE:

U.S. Application No.: 09/837,235

Filed: April 18, 2001

Our Reference No.: 289550,122US2

ATTACHED:

Certificate of Transmission Under 37 CFR 1.8 Amendment Pursuant to 37 C.F.R. § 1.312

This facsimile transmission is confidential and may be privileged. If you are not the intended recipient, please immediately call the sender or, if the sender is not available, call +1 212 937 7300 and destroy all copies of this transmission. If the transmission is incomplete or illegible, please call the sender or, if the sender is not available, call +1 212 937 7300. Thank you.

BALTIMORE BEIJING BERLIN BOSTON BRUSSELS LONDON MUNICH NEW YORK NORTHERN VIRGINIA OXFORD WALTHAM WASHINGTON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/837,235

Art Unit:

1652

Applicant:

Christopher Marshall et al.

Examiner:

Tekchand Saidha

Date Filed:

April 18, 2001

Conf. No.

1399

Docket No.

289550-122US2

Cust. No.

28089

Title:

STABILIZED PROTEINS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on May 31, 2005 for consideration in U.S. Patent Application No. 09/837,235 and that the attachments are true copies.

USPTO Office of Patent Publication - Issue Branch (703) 872-9306

Signature

Jane M. Love, Ph.D.

Typed or printed name of person signing Certificate

Document

No. Pgs

Amendment Pursuant to 37 C.F.R. § 1.312

7

Total Number of Pages (including this Certificate of Transmission and cover sheet)

á

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/837,235

Art Unit:

1652

Applicant:

Christopher Marshall et al.

Examiner:

Tekchand Saidha

Date Filed:

April 18, 2001

Conf. No.

1399

Docket No.

289550-122US2

Cust. No.

28089

Title:

STABILIZED PROTEINS

RECEIVED

CENTRAL FAX CENTER

MAY 3 1 2005

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT PURSUANT TO 37 C.F.R. § 1.312

Dear Sir:

This Amendment is being submitted subsequent to a phone conference with Examiner Saidha of today, May 31, 2005. Applicants hereby request that claims 40-51 be canceled without prejudice to applicants' right to pursue the subject matter of these claims at a future time or in a related application. Prior to the issuance of a patent on the instant application, Applicants respectfully request entry of the instant Amendment and Response pursuant to 37 C.F.R. § 1.312.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin at page 7 of this paper.